REMARKS

Claims 1, 3-9 and 36-47 are currently pending in the subject application and are presently under consideration. Claims 1, 36, 39 and 40 have been amended. In addition, claims 10-35 are canceled. New claims 43-48 have been added. Support for these claims can be found in the specification at page 7 (lines 20-21), page 8 (lines 10-12) and page 11(lines 9-10 and lines 27-30). A listing of claims can be found at pages 2-4 of this Reply.

Applicant's representative thanks the Examiner for the courtesies extended during the interview dated October 12, 2006. The Examiner was contacted to clarify certain aspects of applicant's invention. It was agreed that the claims as presented overcome the rejections of record.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1, 3-9, 32 and 36-37 Under 35 U.S.C. §103(a)

Claims 1, 3-9, 32 and 36-37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Strom *et al.* (U.S. 4,642,607) in view of Gandhi *et al.* (U.S. 2005/0267935). This rejection should be withdrawn for at least the following reasons. Claim 32 has been canceled. Strom *et al.* and Gandhi *et al.* either alone or in combination do not teach or suggest all limitations set forth in the subject claims.

> To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***. *See* MPEP §706.02(j). ***The teaching or suggestion to make the claimed combination and the reasonable expectation of success must be found in the prior art and not based on the Applicant's disclosure.*** *See In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

The invention relates to remote controller configuration and programming, wherein computers can be connected to the same power supply communicating in a peer-to-peer network fashion over power lines and/or they can interact with the power supply network remotely utilizing the Internet. Accordingly, independent claim 1 recites ***a configuration device connected to Internet, wherein the configuration device and the controller utilize at least an interface to communicate over the power line and the Internet to enable remote controller configuration and programming***. Thus, the subject invention facilitates configuration and programming of remote controllers utilizing existing power lines for communication. This innovation provides for a network that allows a configuration device connected to the Internet to interact with a power supply network to set up control modules. Neither of the cited documents teaches nor suggests such novel aspects.

In particular, Strom *et al.* relates to a power line carrier communications system comprising a bridge/repeater for a transformer. The bridge/repeater receives a series of original message bit streams generated by a transmitting module and relays them to a receiving module on the power line network. Therefore, the configuration device communicates with the binary control modules only over a power line network. Nowhere does Storm *et al.* teach or suggest that the configuration device is connected to the Internet and communicates with the binary control modules over their power lines and the Internet. Hence, Storm *et al.* fails to teach or suggest *a configuration device connected to Internet, wherein the configuration device and the controller utilize at least an interface to communicate over the power line and the Internet to enable remote controller configuration and programming*, as claimed.

Furthermore, Gandhi *et al.* does not make up for the aforementioned deficiencies of Storm *et al.* Gandhi *et al.* generally relates to a programmatic interface-to-network messaging adapter (called a "rehydrator"). The "rehydrator" is a module that exposes a suitable object integration interface to applications on a controller device and sends network data messages to invoke services or query status of a controlled device. Gandhi *et al.* discloses communicating either exclusively over the Internet or a power line communications network (*See* Gandhi *et al.* paragraph [0047]). However, it does not teach or suggest communicating *over the power line and the Internet to enable remote controller configuration and programming*, as recited in claim 1. Gandhi *et al.* fails to teach or suggest a configuration device connected to the Internet, wherein the configuration device utilizes the Internet to communicate with a controller over its

power lines. Hence, the cited documents, either alone or in combination, fail to teach or suggest *a configuration device connected to Internet, wherein the configuration device and the controller utilize at least an interface to communicate over the power line and the Internet to enable remote controller configuration and programming.*

Additionally, it is submitted that the Examiner does not show and applicant's representative finds that the features of dependent claims 36 and 37 wherein it is recited that the interface is a unit separate from the controller and the configuration device are not taught or suggested by either Storm *et al.* or Gandhi *et al.*. Such novel feature facilitates a single interface to be utilized between various devices rather than each device having its own connectivity interface as disclosed in Storm *et al.* (*See* Storm *et al.* Fig.3)

In view of at least the foregoing, withdrawal of this rejection is respectfully requested.

II. Rejection of Claims 33 and 38-42 Under 35 U.S.C. §103(a)

Claims 33 and 38-42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Strom *et al.,* as modified, as applied to claim 1 above, and further in view of Ransom *et al.* (U.S.2005/0144437). This rejection should be withdrawn for at least the following reasons. Claim 33 has been canceled. Strom *et al.* and Ransom *et al.* either alone or in combination do not teach or suggest all limitations set forth in the subject claims.

The invention relates to a system for configuring, setting-up and programming devices utilizing at least a power line and a WAN. To this end, independent claim 38 recites ***the configuration device and the controller utilize at least an interface to communicate over the power line and the network to enable remote controller configuration and programming.***

On page 4 of the Final Office Action dated June 22, 2006, the Examiner erroneously contends that Ransom *et al.* discloses a WAN using power lines to provide communication between multiple users. At the cited section, *i.e.* Fig. 1 of Ransom *et al.*, a Power Management Architecture that contains one or more IEDs (Intelligent electronic devices) is disclosed. The IEDs are connected to an electrical power distribution system to measure, monitor and control quality, distribution and consumption of electric power from the system. However, the IEDs are further interconnected with each other and back end servers *via* the Internet. Therefore, while the IEDs are connected to a power line network, it is the Internet that solely handles communication between them (*See* Ransom *et al.* paragraphs [0038] and [0050]). Hence, it is

clear that Ransom *et al.* relates to a network that exclusively uses a WAN for communication whereas the subject invention facilitates a network wherein the configuration device and the controller ***communicate over the power line and the network to enable remote controller configuration and programming.***

Moreover, in the rejection of claims 39, and 40 on page 4 of the Final Office Action dated June 22, 2006, the Examiner refers to rejection of claim 36, 37 in the earlier section. However as mentioned *supra,* the features of claims 36, 37 have not been taught or suggested in either Storm *et al.* and Ransom *et al.* fails to disclose such novel features.

In view of at least the above, it is concluded that Ransom *et al.* fails to make up for the aforementioned deficiencies of Storm,*et al.,* therefore, it is respectfully requested that this rejection be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [ALBRP323US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

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